proud that 1300 of those awards, roughly 20 percent, have been given to young people from our state. Clearly, a program that is working so well in my state could offer a lot of ideas to the rest of the country about ways to attract more and more qualified students into the program.

In light of the recently proposed changes in the program and the shared goal of attracting more young people, I would suggest that a hearing on the Congressional Award program would be appropriate. The future growth of this program requires that Congress examine its development over the last 20 years as well as its future. I hope my good friend and colleague Chairman GOODLING will give full consideration to this request.

Ms. NORTON. Mr. Speaker, I rise in support of the Congressional Award Program. This program has an Olympian quality because it encourages young people to stretch to their limits. The difference is that they set the high goals themselves. The experience is that the self-initiated goals are set so high that only 400 of the 1,000 students who start the program complete it.

Too often, we allow the impressive accomplishments of our youth to go unrecognized and unappreciated. We must encourage our young women and young men to strive to do their best in activities which develop themselves or their communities. The Congressional Award Program does just that by challenging students to set high goals for themselves in either personal development, physical fitness, or public service and provides them with recognition when they reach these goals. Last year I was proud to present seven awards representing a total of at least 400 hours of work to D.C. high school students, and this year, I believe that I will be able to award many more. I would like to recognize the 1998 recipients of the Congressional Award:

Leidi Reyes of Bell Multicultural High School, Silver medal; Jehan Carter—Banneker Senior High School, Bronze medal; Christin Chism—Bishop McNamara High School, Bronze medal; Brian Ford—Eastern Senior High School, Bronze medal; Miya Jackson—Eastern Senior High School, Bronze medal; Christiana Hodge—Eastern High School, Bronze medal; and Kate Ottenberg—Maret High School, Bronze medal.

These young people's families and community are rightly proud of them. They are members of an elite group of only 400 young people across the country who completed the program. I ask my colleagues to support them by supporting the re-authorization of the Congressional Award Program through 2004.

Mr. ROMERO-BARCELO. Mr. Speaker, I would like to support this bill (S. 380) that will re-authorize the Congressional Award Act. The re-authorization of this Act is significant because the program that is supported by this bill is one way in which the Congress provides an opportunity for the youths of the United States to better their own lives.

The Congressional Award has existed since 1979 as a way to encourage and reward American youth who undertake community service to benefit their community and themselves. It teaches our young people about such American values as citizenship, civic responsibility, and the importance of setting and achieving personal goals. Several thousand youths have participated in this program since its inception and have received recognition for their efforts.

Congressioinal awards come in different forms: certificates, which are ''introductory'' level awards; and medals, which are more difficult to achieve. Certificates and medals come in the form of gold, silver and bronze awards. Each award is earned through the accumulation of hours of community service. When an award is earned, those hours can be applied toward the achievement of the next award. The gold medal, which is the highest level of the awards, is extremely prestigious and very difficult to earn, because it requires a minimum of 800 hours of service accumulated over a period of at least 24 months.

I am one of the Members of Congress currently serving on the Board of Directors of the Congressional Award Foundation and I am honored to serve in this position. I have the privilege of working alongside Congresswoman BARBARA CUBIN in this capacity.

In addition to serving on the Board of Directors of the Foundation, I am equally proud that the congressional award will soon be established in Puerto Rico. We hope to publicize the award in schools on the island and I am confident that there will be large numbers of school children who will take up the challenge to earn their own congressional medals.

I would like to encourage other members to publicize the award and ask the young people in their districts to participate in the Congressional Award process. This is an excellent way to motivate young people to make positive contributions in their local communities and to develop important leadership skills for the future. I believe it is the duty for all of us serving in this body to make the Congressional Award more readily available to every young person in our communities. The first step in this process is through the passage and enactment of this Congressional Award reauthorization bill.

Mr. MARTINEZ. Mr. Speaker, I yield back the balance of my time.

Mr. TANCREDO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the motion offered by the gentleman from Colorado (Mr. TANCREDO) that the House suspend the rules and pass the Senate bill, S. 380.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TANCREDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 380, the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

MULTIDISTRICT, MULTIPARTY, MULTIFORUM TRIAL JURISDICTION ACT OF 1999

The SPEAKER pro tempore.

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2112) to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions, as amended.

The Clerk read as follows:

H.R. 2112

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 1999''.

SEC. 2. MULTIDISTRICT LITIGATION.

Section 1407 of title 28, United States Code, is amended—

(1) in the third sentence of subsection (a), by inserting ''or ordered transferred to the transferee or other district under subsection (i)'' after ''terminated''; and

(2) by adding at the end the following new subsection:

''(i)(1) Subject to paragraph (2) and except as provided in subsection (j), any action transferred under this section by the panel may be transferred for trial purposes, by the judge or judges of the transferee district to whom the action was assigned, to the transferee or other district in the interest of justice and for the convenience of the parties and witnesses.

''(2) Any action transferred for trial purposes under paragraph (1) shall be remanded by the panel for the determination of compensatory damages to the district court from which it was transferred, unless the court to which the action has been transferred for trial purposes also finds, for the convenience of the parties and witnesses and in the interests of justice, that the action should be retained for the determination of compensatory damages.''.

SEC. 3. MULTIPARTY, MULTIFORUM JURISDICTION OF DISTRICT COURTS.

(a) BASIS OF JURISDICTION.—

(1) IN GENERAL.—Chapter 85 of title 28, United States Code, is amended by adding at the end the following new section:

''§ 1369. Multiparty, multiforum jurisdiction

''(a) IN GENERAL.—The district courts shall have original jurisdiction of any civil action involving minimal diversity between adverse parties that arises from a single accident, where at least 25 natural persons have either died or incurred injury in the accident at a discrete location and, in the case of injury, the injury has resulted in damages which exceed $75,000 per person, exclusive of interest and costs, if—

''(1) a defendant resides in a State and a substantial part of the accident took place in another State or other location, regardless of whether that defendant is also a resident of the State where a substantial part of the accident took place;

''(2) any two defendants reside in different States, regardless of whether such defendants are also residents of the same State or States; or

''(3) substantial parts of the accident took place in different States.

''(b) SPECIAL RULES AND DEFINITIONS.—For purposes of this section—

''(1) minimal diversity exists between adverse parties if any party is a citizen of a State and any adverse party is a citizen of another State, a citizen or subject of a foreign state, or a foreign state as defined in section 1603(a) of this title;

''(2) a corporation is deemed to be a citizen of any State, and a citizen or subject of any foreign state, in which it is incorporated or has its principal place of business, and is deemed to be a resident of any State in which it is incorporated or licensed to do business or is doing business;

''(3) the term 'injury' means—

''(A) physical harm to a natural person; and

''(B) physical damage to or destruction of tangible property, but only if physical harm described in subparagraph (A) exists;

''(4) the term 'accident' means a sudden accident, or a natural event culminating in an accident, that results in death or injury incurred at a discrete location by at least 25 natural persons; and

''(5) the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

''(c) INTERVENING PARTIES.—In any action in a district court which is or could have been brought, in whole or in part, under this section, any person with a claim arising from the accident described in subsection (a) shall be permitted to intervene as a party plaintiff in the action, even if that person could not have brought an action in a district court as an original matter.

''(d) NOTIFICATION OF JUDICIAL PANEL ON MULTIDISTRICT LITIGATION.—A district court in which an action under this section is pending shall promptly notify the judicial panel on multidistrict litigation of the pendency of the action.''.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 85 of title 28, United States Code, is amended by adding at the end the following new item:

''1369. Multiparty, multiforum jurisdiction.''.

(b) VENUE.—Section 1391 of title 28, United States Code, is amended by adding at the end the following:

''(g) A civil action in which jurisdiction of the district court is based upon section 1369 of this title may be brought in any district in which any defendant resides or in which a substantial part of the accident giving rise to the action took place.''.

(c) MULTIDISTRICT LITIGATION.—Section 1407 of title 28, United States Code, as amended by section 2 of this Act, is further amended by adding at the end the following:

''(j)(1) In actions transferred under this section when jurisdiction is or could have been based, in whole or in part, on section 1369 of this title, the transferee district court may, notwithstanding any other provision of this section, retain actions so transferred for the determination of liability and punitive damages. An action retained for the determination of liability shall be remanded to the district court from which the action was transferred, or to the State court from which the action was removed, for the determination of damages, other than punitive damages, unless the court finds, for the convenience of parties and witnesses and in the interest of justice, that the action should be retained for the determination of damages.

''(2) Any remand under paragraph (1) shall not be effective until 60 days after the transferee court has issued an order determining liability and has certified its intention to remand some or all of the transferred actions for the determination of damages. An appeal with respect to the liability determination and the choice of law determination of the transferee court may be taken during that 60-day period to the court of appeals with appellate jurisdiction over the transferee court. In the event a party files such an appeal, the remand shall not be effective until the appeal has been finally disposed of. Once the remand has become effective, the liability determination and the choice of law determination shall not be subject to further review by appeal or otherwise.

''(3) An appeal with respect to determination of punitive damages by the transferee court may be taken, during the 60-day period beginning on the date the order making the determination is issued, to the court of appeals with jurisdiction over the transferee court.

''(4) Any decision under this subsection concerning remand for the determination of damages shall not be reviewable by appeal or otherwise.

''(5) Nothing in this subsection shall restrict the authority of the transferee court to transfer or dismiss an action on the ground of inconvenient forum.''.

(d) REMOVAL OF ACTIONS.—Section 1441 of title 28, United States Code, is amended—

(1) in subsection (e) by striking ''(e) The court to which such civil action is removed'' and inserting ''(f) The court to which a civil action is removed under this section''; and

(2) by inserting after subsection (d) the following new subsection:

''(e)(1) Notwithstanding the provisions of subsection (b) of this section, a defendant in a civil action in a State court may remove the action to the district court of the United States for the district and division embracing the place where the action is pending if—

''(A) the action could have been brought in a United States district court under section 1369 of this title, or

''(B) the defendant is a party to an action which is or could have been brought, in whole or in part, under section 1369 in a United States district court and arises from the same accident as the action in State court, even if the action to be removed could not have been brought in a district court as an original matter.

The removal of an action under this subsection shall be made in accordance with section 1446 of this title, except that a notice of removal may also be filed before trial of the action in State court within 30 days after the date on which the defendant first becomes a party to an action under section 1369 in a United States district court that arises from the same accident as the action in State court, or at a later time with leave of the district court.

''(2) Whenever an action is removed under this subsection and the district court to which it is removed or transferred under section 1407(j) has made a liability determination requiring further proceedings as to damages, the district court shall remand the action to the State court from which it had been removed for the determination of damages, unless the court finds that, for the convenience of parties and witnesses and in the interest of justice, the action should be retained for the determination of damages.

''(3) Any remand under paragraph (2) shall not be effective until 60 days after the district court has issued an order determining liability and has certified its intention to remand the removed action for the determination of damages. An appeal with respect to the liability determination and the choice of law determination of the district court may be taken during that 60-day period to the court of appeals with appellate jurisdiction over the district court. In the event a party files such an appeal, the remand shall not be effective until the appeal has been finally disposed of. Once the remand has become effective, the liability determination and the choice of law determination shall not be subject to further review by appeal or otherwise.

''(4) Any decision under this subsection concerning remand for the determination of damages shall not be reviewable by appeal or otherwise.

''(5) An action removed under this subsection shall be deemed to be an action under section 1369 and an action in which jurisdiction is based on section 1368 of this title for purposes of this section and sections 1407, 1660, 1697, and 1785 of this title.

''(6) Nothing in this subsection shall restrict the authority of the district court to transfer or dismiss an action on the ground of inconvenient forum.''.

(e) CHOICE OF LAW.—

(1) DETERMINATION BY THE COURT.—Chapter 111 of title 28, United States Code, is amended by adding at the end the following new section:

''§ 1660. Choice of law in multiparty, multiforum actions

''(a) FACTORS.—In an action which is or could have been brought, in whole or in part, under section 1369 of this title, the district court in which the action is brought or to which it is removed shall determine the source of the applicable substantive law, except that if an action is transferred to another district court, the transferee court shall determine the source of the applicable substantive law. In making this determination, a district court shall not be bound by the choice of law rules of any State, and the factors that the court may consider in choosing the applicable law include—

''(1) the place of the injury;

''(2) the place of the conduct causing the injury;

''(3) the principal places of business or domiciles of the parties;

''(4) the danger of creating unnecessary incentives for forum shopping; and

''(5) whether the choice of law would be reasonably foreseeable to the parties.

The factors set forth in paragraphs (1) through (5) shall be evaluated according to their relative importance with respect to the particular action. If good cause is shown in exceptional cases, including constitutional reasons, the court may allow the law of more than one State to be applied with respect to a party, claim, or other element of an action.

''(b) ORDER DESIGNATING CHOICE OF LAW.—The district court making the determination under subsection (a) shall enter an order designating the single jurisdiction whose substantive law is to be applied in all other actions under section 1369 arising from the same accident as that giving rise to the action in which the determination is made. The substantive law of the designated jurisdiction shall be applied to the parties and claims in all such actions before the court, and to all other elements of each action, except where Federal law applies or the order specifically provides for the application of the law of another jurisdiction with respect to a party, claim, or other element of an action.

''(c) CONTINUATION OF CHOICE OF LAW AFTER REMAND.—In an action remanded to another district court or a State court under section 1407(j)(1) or 1441(e)(2) of this title, the district court's choice of law under subsection (b) shall continue to apply.''.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 28, United States Code, is amended by adding at the end the following new item:

''1660. Choice of law in multiparty, multiforum actions.''.

(f) SERVICE OF PROCESS.—

(1) OTHER THAN SUBPOENAS.—(A) Chapter 113 of title 28, United States Code, is amended by adding at the end the following new section:

''§ 1697. Service in multiparty, multiforum actions

''When the jurisdiction of the district court is based in whole or in part upon section 1369 of this title, process, other than subpoenas, may be served at any place within the United States, or anywhere outside the

United States if otherwise permitted by law.''.

(B) The table of sections at the beginning of chapter 113 of title 28, United States Code, is amended by adding at the end the following new item:

''1697. Service in multiparty, multiforum actions.''.

(2) SERVICE OF SUBPOENAS.—(A) Chapter 117 of title 28, United States Code, is amended by adding at the end the following new section:

''§ 1785. Subpoenas in multiparty, multiforum actions

''When the jurisdiction of the district court is based in whole or in part upon section 1369 of this title, a subpoena for attendance at a hearing or trial may, if authorized by the court upon motion for good cause shown, and upon such terms and conditions as the court may impose, be served at any place within the United States, or anywhere outside the United States if otherwise permitted by law.''.

(B) The table of sections at the beginning of chapter 117 of title 28, United States Code, is amended by adding at the end the following new item:

''1785. Subpoenas in multiparty, multiforum actions.''.

SEC. 4. EFFECTIVE DATE.

(a) SECTION 2.—The amendments made by section 2 shall apply to any civil action pending on or brought on or after the date of the enactment of this Act.

(b) SECTION 3.—The amendments made by section 3 shall apply to a civil action if the accident giving rise to the cause of action occurred on or after the 90th day after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from California (Mr. MARTINEZ) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today, in support of H.R. 2112, the Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 1999 and urge the House to adopt the measure. This bill is authored by the gentleman from Wisconsin (Mr. SENSENBRENNER).

Section 2 of H.R. 2112 responds to a 1998 Supreme Court decision pertaining to multidistrict litigation, the so-called ''Lexecon'' case.

Section 2 of the bill would simply amend the multidistrict litigation statute by explicitly allowing the transferee court to retain jurisdiction over referred cases for trial or refer them to other districts as it sees fit.

This change, it seems to me, Mr. Speaker, makes sense in light of past judicial practice under the multidistrict litigation statute.

In addition, section 3 of H.R. 2112 offers what I believe are modest but necessary improvements to a specific type of multidistrict litigation, that involving disasters such as an airline or train accident, in which several individuals from different States are killed or injured.

Finally, I note that there is a technical error in the committee report. Pursuant to a change advocated by the gentleman from Michigan (Mr. CONYERS), which we accepted at full committee markup, the dollar threshold for cases brought under section 3 was raised from a previous draft of $50,000 to $75,000. $75,000 is the correct figure.

This legislation obviously promotes judicial administrative efficiency without compromising the rights of litigants and their counsel to due process and appropriate compensation. It is strongly endorsed by the Administrative Office of the United States Courts, and I urge my colleagues to support it as well.

Mr. Speaker, I reserve the balance of my time.

Mr. MARTINEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 1999. I would like to thank, on behalf of the ranking member, the gentleman from Michigan (Mr. CONYERS), the gentleman from North Carolina (Chairman COBLE), and the gentleman from Wisconsin (Mr. SENSENBRENNER) of the Subcommittee on Courts and Intellectual Property for their hard work on this bill and for the bipartisan fashion in which they operated.

Mr. Speaker, I reserve the balance of my time.

Mr. COBLE. Mr. Speaker, I thank the gentleman from California (Mr. MARTINEZ) for his generous remarks.

Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. SENSENBRENNER), the sponsor of the bill

Mr. SENSENBRENNER. Mr. Speaker, H.R. 2112 is a combination of two other freestanding bills which I have introduced. Section 2 consists of the text of H.R. 1852, which would reverse the effects of the 1998 Supreme Court decision in the so-called ''Lexecon'' case, that would simply amend the multidistrict litigation statute by explicitly allowing a transferee court to retain jurisdiction over referred cases for trial or to refer them to other districts as it sees fit.

Section 3 is comprised of the language of H.R. 967, which beginning in the 101st Congress has been supported by the Department of Justice, the Administrative Office of the U.S. Courts, two previous Democratic Congresses, and one previous Republican Congress.

Section 3 will help reduce litigation costs as well as the likelihood of forum shopping in single-accident mass tort cases. All plaintiffs in these cases would ordinarily be situated identically, making the case for consolidation of these actions especially compelling. These types of disasters, with their hundreds of thousands of plaintiffs and numerous defendants, have the potential to impair the orderly administration of justice in the Federal courts for an extended period of time.

In brief, section 3 addresses these problems by conferring original jurisdiction upon a Federal District Court of any civil action which features four basic attributes. First, the action is one in which minimal diversity exists between adverse parties. Second, the action arises from a single accident. Third, at least 25 people have either died or incurred injury in the accident. Fourth, in the case of injury, the injury has resulted in damages which exceed $75,000 per person.

Moreover, the relevant district court overseeing such a consolidated action is given wider authority to apply appropriate choice of law rules. This is a great improvement over the existing convoluted system in which a myriad of State laws ties the hands of a federal judge. The criteria the Court must invoke when making its decisions include examination of the place of the injury, the place of the conduct causing the injury, the principal place of business or domicile of the parties, the danger of creating unnecessary incentives for forum shopping and whether the choice of law would be reasonably foreseeable to the parties.

In addition, Mr. Speaker, the gentleman from California (Mr. BERMAN) and I jointly amended the bill at full committee by making two basic and noncontroversial changes.

First, the treatment of compensatory damages in Section 2 will be made consistent with that in section 3.

Second, based upon a recommendation from the gentleman from Michigan (Mr. CONYERS), we will raise the dollar threshold in section 3 actions from $50,000 to $75,000.

Finally, Mr. Speaker, I wish to acknowledge the good faith efforts of the gentleman from California (Mr. BERMAN) in resolving the one outstanding issue governing compensatory damages prior to the full committee markup. His willingness to work with us has resulted in a truly bipartisan and noncontroversial measure. I want these sentiments on the record, especially in his absence today.

So, Mr. Speaker, this legislation speaks to process, fairness and judicial efficiency. It will not interfere with jury verdicts or compensation rates for litigators. I, therefore, urge my colleagues to join the gentleman from California (Mr. BERMAN) and myself in a bipartisan effort to support the Multidistrict, Multiparty, Multiforum Jurisdiction Act of 1999.

Mr. CONYERS. Mr. Speaker, I rise today in support of the ''Multidistrict, Multiparty, Multiforum Jurisdiction Act of 1999.'' I'd like to begin by expressing thanks to Chairman COBLE and Representative SENSENBRENNER of the Intellectual Property and Courts Subcommittee for their hard work and dedication to working out the concerns that we raised with respect to the original version of the bill in a truly bipartisan fashion.

I. SECTION 2—OVERTURNS LEXECON V. MILBERG WEISS, 523 U.S. 26 (1998)

Section 2 of the bill overturns the recent Supreme Court decision of Lexecon V. Milberg Weiss, where the Supreme Court held that a transferee court (a district court assigned to hear pretrial matters by a multidistrict litigation panel in multidistrict litigation cases) must remand all cases back for trial to the districts in which they were originally filed, regardless of the views of the parties.

It is my understanding from the hearing that for some 30 year the transferee court often retained jurisdiction over all of the suits by invoking a venue provision of Title 28, allowing a district court to transfer a civil action to any other district where it may have been brought—in effect, the transferee court simply transferred all of the cases to itself. The Judicial Conference testified that this process has worked well, and as a matter of judicial expedience, I support overturning the Lexecon decision.

There was a concern raised at the Subcommittee hearing, however, that Section 2, as originally drafted, would have gone far beyond simply permitting a multidistrict litigation transferee court to conduct a liability trial, and instead, would have allowed the court to also determine compensatory and punitive damages. The concern here is that trying the case in the transferee forum could be extremely inconvenient for plaintiffs who would need to testify at the damages phase of the trial.

As a result of discussions between the minority and majority, Representative BERMAN successfully offered a bipartisan amendment addressing this concern at the Full Committee markup. Pursuant to this amendment, Section 2 now creates a presumption that the trial of compensatory damages will be remanded to the original district court.

II. SECTION 3—MINIMAL DIVERSITY FOR SINGLE ACCIDENTS INVOLVING 25 PEOPLE

Section 3 of the bill expands federal court jurisdiction for single accidents involving at least 25 people having damages in excess of $75,000 per claim and establishes new federal procedures in these narrowly defined cases for selection of venue, service of process, issuance of subpoenas and choice of law. It is my understanding here that mass tort injuries that involve the same injury over and over again such as asbestos and breast implants, etc., would be excluded. And that the types of cases that would be included would be plane, train, bus, boat accidents, environment spills, etc.—many of which may already be brought in federal court.

While I traditionally oppose having federal courts decide state tort issues, and disfavor the expansion of the jurisdiction of the already-overloaded district courts, unlike the broader class action bill (H.R. 1875), this bill would only expand federal court jurisdiction in a much narrower class of actions, with the objective of judicial expedience.

Thus, I support this Section with the understanding that it would only apply to a very narrowly defined category of cases and does not in any way serve as a precedent for broader expansion of diversity jurisdiction.

Mr. MARTINEZ. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. COBLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 2112, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1430

LACKAWANNA VALLEY NATIONAL HERITAGE AREA ACT OF 1999

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 940) to establish the Lackawanna Heritage Valley American Heritage Area, as amended.

The Clerk read as follows:

H.R. 940

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lackawanna Valley National Heritage Area Act of 1999''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The industrial and cultural heritage of northeastern Pennsylvania inclusive of Lackawanna, Luzerne, Wayne, and Susquehanna counties, related directly to anthracite and anthracite-related industries, is nationally significant, as documented in the United States Department of the Interior-National Parks Service, National Register of Historic Places, Multiple Property Documentation submittal of the Pennsylvania Historic and Museum Commission (1996).

(2) These industries include anthracite mining, ironmaking, textiles, and rail transportation.

(3) The industrial and cultural heritage of the anthracite and related industries in this region includes the social history and living cultural traditions of the people of the region.

(4) The labor movement of the region played a significant role in the development of the Nation including the formation of many key unions such as the United Mine Workers of America, and crucial struggles to improve wages and working conditions, such as the 1900 and 1902 anthracite strikes.

(5) The Department of the Interior is responsible for protecting the Nation's cultural and historic resources, and there are significant examples of these resources within this 4-county region to merit the involvement of the Federal Government to develop programs and projects, in cooperation with the Lackawanna Heritage Valley Authority, the Commonwealth of Pennsylvania, and other local and governmental bodies, to adequately conserve, protect, and interpret this heritage for future generations, while providing opportunities for education and revitalization.

(6) The Lackawanna Heritage Valley Authority would be an appropriate management entity for a Heritage Area established in the region.

(b) PURPOSE.—The objectives of the Lackawanna Valley National Heritage Area are as follows:

(1) To foster a close working relationship with all levels of government, the private sector, and the local communities in the anthracite coal region of northeastern Pennsylvania and empower the communities to conserve their heritage while continuing to pursue economic opportunities.

(2) To conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the 4-county region of northeastern Pennsylvania.

SEC. 3. LACKAWANNA VALLEY NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is hereby established the Lackawanna Valley National Heritage Area (in this Act referred to as the ''Heritage Area'').

(b) BOUNDARIES.—The Heritage Area shall be comprised of all or parts of the counties of Lackawanna, Luzerne, Wayne, and Susquehanna in Pennsylvania, determined pursuant to the compact under section 4.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Lackawanna Heritage Valley Authority.

SEC. 4. COMPACT.

To carry out the purposes of this Act, the Secretary of the Interior (in this Act referred to as the ''Secretary'') shall enter into a compact with the management entity. The compact shall include information relating to the objectives and management of the area, including each of the following:

(1) A delineation of the boundaries of the Heritage Area.

(2) A discussion of the goals and objectives of the Heritage Area, including an explanation of the proposed approach to conservation and interpretation and a general outline of the protection measures committed to by the partners.

SEC. 5. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.

(a) AUTHORITIES OF THE MANAGEMENT ENTITY.—The management entity may, for purposes of preparing and implementing the management plan developed under subsection (b), use funds made available through this Act for the following:

(1) To make grants to, and enter into cooperative agreements with States and their political subdivisions, private organizations, or any person.

(2) To hire and compensate staff.

(3) To enter into contracts for goods and services.

(b) MANAGEMENT PLAN.—The management entity shall develop a management plan for the Heritage Area that presents recommendations for the Heritage Area's conservation, funding, management, and development. Such plan shall take into consideration existing State, county, and local plans and involve residents, public agencies, and private organizations working in the Heritage Area. It shall include recommendations for actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area. It shall specify the existing and potential sources of funding to protect, manage, and develop the Heritage Area. Such plan shall include, as appropriate, the following:

(1) An inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its natural, cultural, historic, recreational, or scenic significance.

(2) A recommendation of policies for resource management which considers and details application of appropriate land and water management techniques, including, but not limited to, the development of intergovernmental cooperative agreements to protect the Heritage Area's historical, cultural, recreational, and natural resources in a manner consistent with supporting appropriate and compatible economic viability.

(3) A program for implementation of the management plan by the management entity, including plans for restoration and construction, and specific commitments of the identified partners for the first 5 years of operation.